

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

UDALIUS MCCLOUD,

Plaintiff,

v.

KEVIN BLACKMON, MATTHEW  
MCCARTHY, RONALD DONIGAIN,  
JOSEPH VILLALOBOS, and JACK  
KOPATCH,

Defendants.

Case No. 20-CV-1750-JPS

**ORDER**

On November 23, 2020, Plaintiff filed a pro se complaint and a motion for leave to proceed without prepayment of the filing fee, (Docket #1, #2), and his case was randomly assigned to Magistrate Judge Nancy Joseph. On December 11, 2020, Magistrate Judge Joseph granted Plaintiff's motion to proceed without prepayment of the filing fee, as well as issued a report and recommendation ("R&R") recommending that Plaintiff's complaint be dismissed for failure to state a claim.<sup>1</sup> (Docket #5).

Pursuant to General Local Rule 72(c), 28 U.S.C. § 636(b)(1)(B), and Federal Rule of Civil Procedure 72(b), Magistrate Judge Joseph advised Plaintiff that he must submit written objections to her recommendation, or any part thereof, within fourteen days of the date of service of the R&R.<sup>2</sup>

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<sup>1</sup>Because not all parties have had the opportunity to consent to magistrate judge jurisdiction, the case has been reassigned to this Court for consideration of the dismissal R&R. *Coleman v. Labor & Indus. Review Comm'n*, 860 F.3d 461 (7th Cir. 2017).

<sup>2</sup>The R&R was mailed to Plaintiff on December 11, 2020. (Docket #5).

(*Id.*) To date, Plaintiff has not filed any such objection. The Court has considered Magistrate Judge Joseph's recommendation, and having received no objection thereto, will adopt the R&R and dismiss this action without prejudice for failure to state a claim.

Accordingly,

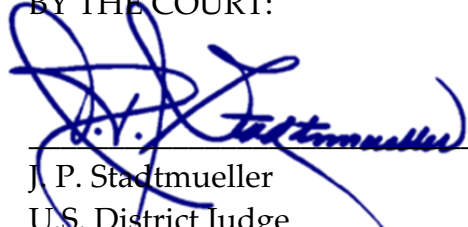
**IT IS ORDERED** that Magistrate Judge Nancy Joseph's report and recommendation (Docket #5) be and the same is hereby **ADOPTED**; and

**IT IS FURTHER ORDERED** that this action be and the same is hereby **DISMISSED without prejudice**.

The Clerk of the Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 28th day of January, 2021.

BY THE COURT:



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J. P. Stadtmueller  
U.S. District Judge